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Mr. Corbin R. Davis
Clerk, Michigan Supreme Court
PO Box 30052
Lansing Michigan 48909

Re: AM 2010-22 & MRPC 7.3:
Controlling Family Law Attorney Trolling

Dear Mr. Davis,

Members of the Family Law Section of the State Bar of Michigan have been asked to forward personal experiences in divorce cases in which client "trolling" has had an adverse effect on the case.

I am the attorney of record in an amicable divorce case which has been adversely impacted by client "trolling." I represent the father who worked from the home and cared for the children a great deal of the time. The parents co-parent well and "but for" the "trolling" letter, this would have been a simple case.

Wife was waiting for the signage of an ex-parte order prior to sitting down and gently informing Husband that she had filed for divorce and that she had requested *joint legal and joint physical custody*. Wife was intending to give Husband the papers and review them with him. Unfortunately, before Wife received the executed ex-parte order, Husband, on a Saturday, received an alarming "trolling" letter. Husband, not having the actual pleadings in his possession, imagined all sorts of scenarios, including Wife getting custody of the children. Husband, fell apart emotionally and ended up in a psychiatric unit for 12 days, during which time, Wife, in order to protect herself and the children, obtained orders to remove Husband from the home, obtain temporary custody of the children with supervised parenting time to Husband.

Since release and counseling to assure that this was situational reaction, the case has proceeded amicably and the parties have agreed on joint legal and joint physical custody, with almost equal unsupervised parenting time for Father. Unfortunately, the legal fees were double what they would have been, and the case much more emotionally draining on the participants with negative effects on the children (ages 4 and 7) who had to wonder why dad couldn't pick them up from school any more, why dad wasn't living there, where was dad, etc.

Please pass the proposed amendment of MRPC 7.3.

Very truly yours,
/s/ Judith O'Donnell (P52477)

